

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

## JOHN EARL CAMPBELL,

Plaintiff,

V.

NATIONAL RAILROAD PASSENGER CORPORATION dba AMTRAK, JOE DEELY, and DOES 1-15, inclusive.

## Defendants.

Case No. C05-05434 MJJ (EDL)

**ORDER DENYING REQUEST FOR  
LEAVE TO FILE MOTION FOR  
RECONSIDERATION**

On May 31, 2007, Defendants filed a Request for Leave to File Motion for Reconsideration of Order Re Motion to Compel. On June 15, 2007, Plaintiff opposed that Request. After full consideration of the papers, the Court DENIES Defendants' Request.

Under Civil Local Rule 7-9, any party may request reconsideration of an interlocutory order before the entry of a judgment adjudicating all of the claims and the rights and liabilities of all the parties in a case. See Civ. L.R. 7-9(b). The moving party must show that, at the time of the filing of the motion for leave, a material difference in fact or law exists from that which was presented to the Court before entry of the interlocutory order; that new material facts or a change of law occurred after the order was entered; or that there was “a manifest failure by the Court to consider material facts or dispositive legal arguments which were presented to the Court.” Id.

1 Defendants have failed to make this showing. Accordingly, Defendants' Request is DENIED.

2 However, the request was not so egregious as to warrant sanctions, as requested by Plaintiff.

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4 **IT IS SO ORDERED**

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6 Date: June 29, 2007

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Elizabeth D. Laporte  
United States Magistrate Judge